

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – April 4, 2008
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:04 a.m., recessed at 10:17 a.m., reconvened at 10:43 a.m. and adjourned at 11:37 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks (in at 9:07 a.m.), Day (in at 9:24 a.m., and out at 11:36 a.m.), Kreitzer, Pallinger, Riess, Woods

Commissioners Absent: None

Advisors Present: Mehnert (OCC); Sinsay (DPW)

Staff Present: Farace, Giffen, Gibson, Johnston, Maxson, Nagem, Powers, Russell, Sheredy, Tondro, Wright, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of March 7, 2008.

Action: Beck - Kreitzer

Approve the Minutes of March 7, 2008.

Ayes: 5 - Beck, Kreitzer, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 2 - Brooks, Day

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

None.

D. Announcement of Handout Materials Related to Today's Agenda Items

E. Formation of Consent Calendar: Items 4, 5 and 6

TM 5447RPL¹, Agenda Item 1:**1. Quantum Estates II, Tentative Map (TM) 5447RPL¹, San Dieguito Community Plan Area (continued from January 25 and March 7, 2008)**

Proposed is subdivision of 39.42 acres into seven lots ranging in size from 3.55 to 10.1 gross acres. The project proposes balanced grading of 38,000 cubic yards with cut and fill slopes of 2:1. The maximum depth of cut and fill is 10 feet. The maximum height of fill is 10 feet. Several private trails are proposed through the property. The project site will be serviced by the Santa Fe Irrigation District, Rancho Santa Fe Community Sewer District and Rancho Santa Fe Fire Protection District. A sewer line will be extended 580 feet from the southeast. The sewer district requires access along the length of the line, and appropriate easements are proposed. The project site is located on Paseo Delicias.

Staff Presentation: Sheredy

Proponents: 7; **Opponents:** 0

Discussion:

Commissioner Beck compliments Staff on the mitigation measures developed to address environmental impacts. He recommends that Staff utilize this Biological Resources Report format when preparing future reports, as it is the most logical and provides categories and criteria by which sensitive resources are identified. Commissioner Beck notes that development of the project site will impact California gnatcatcher territory and questions whether the 11 acres that will not be impacted are enough for the gnatcatchers known to be onsite. Staff has determined that the preserved portion of the site will be adequate to sustain the gnatcatchers and informs the Commission that a gnatcatcher was also found on the offsite mitigation property.

Commissioner Beck notes that though trails are being proposed in this project, the Resource Management Plan (RMP) for the trail has not been developed. He believes the RMP should be completed first, and requests that Staff provide a report to the Commission when it has been prepared. Commissioner Beck also discusses the interface between development and the preserved open space, and questions whether fencing will be provided. Staff explains that the project will include a 100-foot limited building zone, and clarifies that the topography of the project site will not allow development of the open space, but signage will be provided to prevent encroachment.

**R05-006, TM 5427RPL², S05-026,
S05-027 and S05-050, Agenda Item 3:**

Commissioner Brooks notes that the Hacienda Santa Fe Homeowners Association (HOA) has requested that the applicant provide additional landscape screening. Commissioner Brooks also reminds Staff that information provided to the Commission indicates that roundabouts "may" be constructed in this area. The applicant's representative informs the Commission that landscaping will be extended along the southern boundary of the project site to accommodate the HOA's request, which has met with their satisfaction. With respect to the possibility that roundabouts might be constructed in this area, Staff acknowledges that this was raised when discussing road improvements, but no formal plan has been approved by DPW representatives at this time.

Action: Brooks – Beck

Adopt the Resolution approving TM 5447RPL¹, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law.

Ayes:	6 -	Beck, Brooks, Kreitzer, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Day

Following the vote, Chairman Riess refers to Page 1-9 wherein the Traffic Impact Fees are discussed; he does not believe the fees will adequately mitigate the cumulative impacts.

POD 07-001, Agenda Item 2:

2. Boutique Wineries, Zoning Ordinance Amendment POD 07-001
(continued from March 7 and March 21, 2008)

Proposed amendment to the San Diego County Zoning Ordinance to introduce a new winery classification, Boutique Winery. Under the proposed amendment, the "Packing and Processing: Boutique Winery" Use Type would be allowed subject to limitations in the A70-Limited Agriculture and the A72-General Agriculture Use Regulations. The Boutique Winery Use Type can produce up to 12,000 gallons of wine per year and will include specified standards and limitations on the size of the winery and on activities that can occur. The proposed amendment would apply to the unincorporated areas of San Diego County within the A70 and A72 Use Regulations. The Department is proposing revisions to the draft Ordinance considered by the Planning Commission on March 7, 2008.

Staff Presentation: Nagem

Proponents: 7; Opponents: 8

Discussion:

Staff has determined that allowing Boutique Wineries by right could result in detrimental impacts on the environment and now recommends that Findings requiring preparation of an Environmental Impact Report (EIR), as well as Findings indicating when a proposed project is exempt from CEQA must be developed.

Many of the speakers at today's hearing are quite dismayed with the proposed revised recommendations. They urge the Planning Commission to uphold their previous actions of March 7, 2008. They point out that none of the issues addressed by the Commission regarding whether these establishments will be allowed on sites accessed by private roads, potential traffic impacts or financial liability are addressed in the revised recommendations.

Supporters of the Boutique Winery Ordinance are adamant that the use should be allowed by right. They remind the Commission of the two years they've invested in drafting the Ordinance. To now be informed that an EIR may be required is troubling. Supporters of the Ordinance also remind the Commission that the cost of acquiring a Permit is prohibitive on small growers, and point out that none of the specialty-crop growers are required to obtain Permits or prepare EIRs. They request that the scope of review be broadened to encompass all aspects of environmental review if it is ultimately determined that an EIR should be required.

POD 07-001, Agenda Item 2:

The Planning Commissioners are also dismayed by the new recommendations and seek ways to make the permitting process for this small venture less time-consuming and less financially onerous. Commissioner Kreitzer points out that operators of wholesale nurseries and avocado stands aren't required to obtain Permits, and cottage industries are allowed by right.

Commissioner Beck broaches the possibility of establishing a retail outlet for wineries, but is informed by Staff that winery owners attempted this in the past but were unsuccessful. Staff reminds those in attendance that this can be achieved by establishing individual agreements with the various growers/sellers and obtaining an Alcoholic Beverage Control Permit.

Most of the Planning Commissioners are quite unsupportive of the proposed new requirements. Commissioner Day recommends that the Board of Supervisors adopt the Planning Commission's March 7, 2008 recommendations. Commissioner Pallinger concurs.

Action: Pallinger – Day

Find that the Planning Commission has considered issues raised in Staff's Report today and the Commission's March 7, 2008 recommendations.

Discussion of the Action:

Chairman Riess supports Staff's recommendations, and does not believe they would have been made without thorough investigation by County Counsel. Commissioner Pallinger reminds those in attendance that the Commission has carefully considered this proposal. He believes most are in agreement that the small boutique wineries should be allowed by right and this Motion will send a strong message of support for operators of small farms. Commissioner Day concurs.

Ayes:	4 -	Brooks, Day, Pallinger, Woods
Noes:	3 -	Beck, Kreitzer, Riess
Abstain:	0 -	None
Absent:	0 -	None

**R05-006, TM 5427RPL², S05-026,
S05-027 and S05-050, Agenda Item 3:**

3. Topmark Communities, Zone Reclassification R05-006, Tentative Map (TM) 5427RPL², Site Plans S05-026, S05-027 and S05-050, Bonsall Community Plan Area

Proposed Tentative Map to subdivide a 55.9-acre property into two lots: an 8.6-acre lot that will accommodate 76 condominium units; and a 47.3-acre lot that will be retained for open space, including public trails. The 8.6-acre lot is zoned RV8 (Variable Family and is subject to the (7) Residential General Plan Designation, which allows 10.9 dwelling units per acre. The current zoning and the current General Plan Designation do not match. Therefore, a Zone Reclassification is proposed to change the zoning from RV8 to RV10. The proposed condominium units will be accessed by private roads off of Camino Del Cielo, which is an improved public road.

Also proposed are three concurrent Site Plans: S05-050, a vesting Site Plan required when an associated Vesting Tentative Map is proposed; S05-026, required by the "B" Special Area Designator to comply with Design Review Guidelines; and S05-027, required to establish setbacks pursuant to the Variable "V" Setback Designator. The subject property is located along West Lilac Road in the southwester corner of West Lilac Road and Camino Del Rey.

Staff Presentation: Powers

Proponents: 3; **Opponents:** 0

This Item is approved on consent following comments of support by Commissioner Beck on project design and mitigation, and clarification by Staff that a 50' buffer zone was determined to be adequate due to the project site's topography and drainage.

Action: Beck – Day

Recommend that the Board of Supervisors:

1. Adopt the Form of Ordinance changing the zoning classification (R05-006);

**R05-006, TM 5427RPL², S05-026,
S05-027 and S05-050, Agenda Item 3:**

2. Adopt the Resolution approving TM 5427RPL2, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law; and
3. Approve Site Plans S05-026, S05-027 and S05-050, which make the appropriate findings and includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State Law and the County of San Diego Zoning Ordinance.

Discussion of the Action:

Chairman Riess informs Staff that the biology survey contained a few deletions that he does not believe should be deleted.

Ayes:	7 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P06-046, Agenda Item 4:**4. Banner Wireless Telecommunications Facility, Major Use Permit P06-046, Desert Subregional Plan Area**

Request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunications facility consisting of a faux water tower 45' in height, with antennas and an associated equipment shelter. The proposed faux water tower will carry 15 panel-type antennas covering three sectors with five antennas per sector. The panel antennas would measure 6' in height and painted to match the color of the faux water tank. The proposed equipment shelter measures 20' X 11.5' X 10', and would be located adjacent to the base of the faux water tower. The project will occupy 230 square feet of the 68-acre parcel. The project site is subject to the Regional Land Use Element Policy 1.4, Rural Development Area (RDA), and the (18) Multiple Rural Land Use Designation, and is zoned S92 (General Rural). The project site is located on Rodriguez Spur Truck Trail in the Desert Subregional Plan Area.

Staff Presentation: Johnston

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Woods - Brooks

Grant Major Use Permit P04-046, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	7 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P06-093, Agenda Item 5:**5. Sunshine Summit Wireless Telecommunications Facility, Major Use Permit P06-093, North Mountain Subregional Plan Area**

Proposed unmanned wireless telecommunications facility consisting of the placement of a multi-carrier 50' tall faux monopine and an associated equipment enclosure. The monopine will support three carriers, with 12 panel antennas per carrier. The equipment enclosure will house equipment for all three carries, as well as an emergency standby generator. The standby generator will be surrounded by a 9' tall concrete masonry unit (CMU) block wall as a noise attenuation barrier. Additionally, all associated equipment, including the generator, will be completely surrounded by an 8' tall CMU block wall with a solid metal door. Also, a 2' tall retaining wall will be placed adjacent to the east of the equipment enclosure to buttress the proposed 12' wide access easement. The project site is located at Highway 79 in Warner Springs. The project will occupy 2,535 square feet of the 29.5-acre parcel. The project site is subject to the Regional Land Use Element Policy Rural Development Area (RDA), and the (18) Multiple Rural Land Use Designation. It is zoned A70 (Limited Agriculture).

Staff Presentation: Tondro

Proponents: 2; **Opponents:** 0

This Item is approved on consent.

Action: Woods - Brooks

Grant Major Use Permit P06-093, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	7 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

P61-118W², Agenda Item 6:**6. Spring Valley Community Church, Major Use Permit Modification P61-118W², Spring Valley Community Plan Area:**

Proposed Major Use Permit Modification to add a preschool within an existing building and a patio to an existing church. The preschool will have a maximum attendance of 30 children between the ages of 2 and 5. The hours of operation will be from 7:00 a.m. to 6:00 p.m. Mondays through Friday. The interior remodeling will consist of the creation of three classrooms, storage offices and restrooms. Exterior construction will consist of a 19' wide and 76' long concrete patio with a cushioned finish surface, a concrete ramp, handrail and stairs. The patio will be surrounded by a 6' tall fence with a 5' tall sound wall along the northern side and a portion of the western side of the fence to attenuate noise from the outdoor patio from the northern property line. The project site is located at 730 Concepcion Avenue, and is subject to the Current Urban Development Area (CUDA) General Plan Category, and the (22) Public/Semi-Public Land Use Designation. Zoning for the site is RS7. Access will be provided by driveways connected to Concepcion and Felicita Avenues.

Staff Presentation: Tondro

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Woods - Brooks

Grant Major Use Permit Modification P61-118W², which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes:	7 -	Beck, Brooks, Day, Kreitzer, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	0 -	None

Administrative:

F. Director's Report:

The Board of Supervisors approved the gate at the Crosby Estates and Mountain Gate (SPA 07-002, approved by the Commission on 02/22/08).

G. Report on actions of Planning Commission's Subcommittees:

None.

H. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

None.

I. Discussion of correspondence received by the Planning Commission:

Staff is to prepare a response to a letter from Fallbrook's Shady Grove homeowners regarding their concerns about property value impacts and provide a copy of the response to the Planning Commission.

J. Scheduled Meetings:

Staff is requested to schedule a workshop on the Groundwater Ordinance.

April 18, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 2	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 16	Regular Meeting, 9:00 a.m., DPLU Hearing Room
May 30, 2008	Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room
June 13, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
June 27, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 11, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
July 25, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 8, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 22, 2008	Regular Meeting, 9:00 a.m., DPLU Hearing Room

Administrative:

September 5, 2008 Regular Meeting, 9:00 a.m., DPLU Hearing Room

September 19, 2008 Regular Meeting, 9:00 a.m., DPLU Hearing Room

October 3, 2008 Regular Meeting, 9:00 a.m., DPLU Hearing Room

There being no further business to be considered at this time, the Chairman adjourned the meeting at 11:37 a.m. to 9:00 a.m. on April 18, 2008 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.